

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
JULY 11, 2006**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, July 11, 2006 in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	present
Board member Victor J. Knies	present
Board member Thomas R. Schmidt	present

Also present were Police Chief Richard Gunselman, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita Boehm.

Clerk-Treasurer Juanita Boehm announced that a majority of the board members must be present for a quorum. All three of the board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all present to join him in the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on June 27, 2006. A **motion** was made by Victor Knies and seconded by Mayor Schmitt to approve the minutes as presented. Motion carried 3-0.

MEMORANDUM OF EXECUTIVE SESSION

Mayor Schmitt read the Memorandum from the Executive Session that was held on Wednesday, June 28, 2006 at 8 a.m. {See attachment}

On **motion** by Victor Knies and seconded by Mayor Schmitt, the Memorandum of the Executive Session of the Board of Public Works and Safety, which was held on June 28, 2006, was accepted for the record. Motion passed 3-0.

TEMPORARY ELIMINATION OF PARKING SPACES

Tom Schroering, Schroering Construction, requested eliminating four parking spaces in front of 751 West 9th Street on Saturday, July 15, 2006, weather permitting, while he removes two large trees. Mr. Schroering said he did not expect to block off the street, but thought not having cars parked nearby would be better for safety reasons. He proposed starting at 8 a.m. and said the job would take about 3 hours. During discussion, Police Chief Richard Gunselman suggested approving an alternate date. Mr. Schroering said Thursday, July 20 would be the alternate date. Street Commissioner Raymond Eckerle agreed to supply barricades.

On **motion** by Victor Knies and seconded by Thomas Schmidt, approval was given to Tom Schroering to temporarily eliminate four parking spaces at 751 West 9th Street during tree removal on Saturday, July 15, 2006 and notify the police department if an alternate date is necessary. Motion passed 3-0.

SIGN FOR FARMERS MARKET

Phil Barth, representative of Jasper Downtown Business Association, requested permission to keep a wooden 2' x 4' sign on the grassy area near the Train Depot on Third Street through September 30, 2006. He said the portable sign advertises the Farmers Market, which is being held on Saturdays at the Train Depot area throughout the summer. Mr. Barth showed a picture of the sign and the location. Mr. Barth also requested that the Park and Recreation Department provide two picnic tables in the grassy area by the big oak tree in the Train Depot area. There followed some discussion about the picnic tables. Victor Knies said the tables are for the public to use and was concerned that the vendors would use them. Thomas Schmidt thought it was a nice idea to have picnic tables year round.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to have the Park and Recreation Department place two picnic tables on the grassy area by the Train Depot provided the tables are for public use and not for the vendors or others to utilize. Motion passed 3-0.

There followed some discussion about the request for the sign. Building Commissioner David Seger reported that the permit for a temporary sign is 30 days and that someone from the city would have to apply for the permit for the Farmers Market sign because it was on city property. Mayor Schmitt agreed to apply for the permit in the city's name. City Attorney Hemmerlein read the ordinance to verify whether the ordinance says 30 consecutive days for a temporary sign. Mayor Schmitt said this board could not override the Planning Commission's zoning law regarding signs. Victor Knies suggested a permanent message board for that area.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, the request of the Jasper Downtown Business Association for a permanent sign or extending the permit past the 30 days for the Farmers Market on Jackson and Third Streets near the Train Depot area was tabled to give time for evaluation of the issue. Motion passed 3-0.

HIGH WEED COMPLAINTS

Street Commissioner Raymond Eckerle reported for publication the names of property owners that had been cited under section 5.12.040, weed removal/ notice. The names and property locations were as follows:

<u>Owner</u>	<u>Location of Lot</u>
Jasper Engineering	16.15 acres at the end of Judith Ave.
Faulk Properties	1404 Franklin St.
Dr. Daniel Eby	Pine Crest Dr.

Kathleen A. and Jeff Faulk, owners of Faulk Properties LLC, were present. Ms. Faulk referred to their property at 1404 Franklin Street, which has been cited for weed ordinance violation. She stated that there is a boundary line dispute with the next door neighbors, James and Holly Weyer, and that a pre-trial hearing is set for July

14. Ms. Faulk presented documents concerning the dispute. Code Enforcement Officer Kenneth Hochgesang presented photos of the property and the tall weeds.

During discussion, City Attorney Sandra Hemmerlein stated that as this was in litigation, the city could be liable if it placed a lien on the wrong property owner. Mayor Schmitt said it made sense to deal with the issue after the property dispute is resolved. City Attorney Hemmerlein advised on taking no further action on the weed notice at the present time until the property dispute is settled by the judge. Jeff Faulk stated that they would mow if it turns out to be their property. City Attorney Hemmerlein also proposed assisting the Code Enforcement Officer in writing a letter to the complainants informing them of the board's action concerning the weed complaint.

A **motion** was made by Victor Knies and seconded by Thomas Schmidt to rescind the weed letter to Faulk Properties at 1404 Franklin Street until the legal dispute is settled and send a letter to the Weyers, along with a copy to the Faulks, informing them of the board's decision today. Motion passed 3-0.

2007 ONE-TON TRUCK

Street Commissioner Raymond Eckerle presented a review of the quotes for a 2007 1-Ton Truck with Dump Bed that were opened at the last Board of Public Works and Safety meeting. Eckerle recommended the lowest and most responsive quote from Bob Luegers Motors for \$28,529.00.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to accept the low quote from Bob Luegers for the 2007 One-ton Truck with Dump Bed for \$28,529.00. Motion carried 3-0.

2007 SNOW PLOW AND SPREADER

Street Commissioner Raymond Eckerle presented a review of the quotes for a 2007 Snow Plow and Spreader that were opened at the last Board of Public Works and Safety meeting. Eckerle recommended the low quote from Central Parts Warehouse. Eckerle asked to go on record that there had been issues in the past with receiving the correct equipment in a timely fashion from this company.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, the low quote for the Snow Plow and Spreader was accepted from Central Parts Warehouse for \$9,256.80. Motion passed 3-0.

Rubbish Schedule. Street Commissioner Eckerle reported that the rubbish schedule that was recently implemented was working well, but some people were ignoring such rules as bundling the items and the weight limit.

Strassenfest. Street Commissioner Eckerle requested residents clean up sidewalks, curbs and lots for the upcoming Strassenfest.

EMERGENCY VEHICLE OPERATOR COURSE "EVOC" TRAINING

Personnel and Safety Director Charlie Schneider reported that the City's Liability Insurance carrier would be providing certified instructors to conduct "Emergency Vehicle Operator Course" (EVOC) training on July 24, 25 and 26. He explained that the training is being provided to City of Jasper employees who drive

City vehicles and that the training would be held in a controlled area at the Jasper Middle School parking lot facility.

STRASSENFEST STREET CLOSINGS

Police Chief Richard Gunselman presented the list of 2006 Strassenfest street closings. He said there were no changes from last year.

On **motion** by Mayor Schmitt and seconded by Victor Knies, the 2006 Strassenfest Street Closings for the 2006 Strassenfest, July 31 through August 6, 2006, were accepted as presented. Motion passed 3-0.

POLICE REPORTS

Police Chief Richard Gunselman presented and explained the following reports.

Jasper Police Department June Activity Report

POLICE DEPARTMENT SERGEANT PROMOTION

Mayor Schmitt reported that seven very qualified applicants had been interviewed for the position of Police Sergeant at the Executive Session held on June 28, 2006.

On motion by Mayor Schmitt and seconded by Thomas Schmidt, a conditional offer of employment was offered to Nathan J. Schmitt for the position of Jasper Police Department Sergeant and that the position would become effective Sunday, July 16, 2006 after all conditions of the conditional offer of employment have been met. Motion passed 3-0.

FIRE FIGHTERS TO PERMANENT STATUS

Fire Chief Kenneth Hochgesang reported that the four fire fighters who are on probationary fire fighter status have been with the fire department for a year and have completed all required courses. Hochgesang recommended that their status be upgraded to regular status effective July 17, 2006. He said the names of the fire fighters were: Eric Rasche, Matthew Werner, Jerry May and Chris Underwood.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to grant regular fire fighter status to Eric Rasche, Matthew Werner, Jerry May and Chris Underwood effective July 17, 2006. Motion passed 3-0.

Fire Station Garage Door Replacement. Fire Chief Kenneth Hochgesang reported that the replacement door should be delivered sometime this week.

Portersville Road. City Engineer Chad Hurm gave an update on the Portersville Road project. He said the road is being paved and is on schedule.

CVS Pipes. City Engineer Chad Hurm reported that he had reviewed the material and coating for the proposed pipes for the new CVS store that was discussed at the last Board of Public Works and Safety meeting. He said he is still reviewing the storm water volume and capacity flow. Hurm said he will bring a recommendation to the board at the next meeting.

EASEMENTS

City Attorney Sandy Hemmerlein presented the following easements for acceptance and approval:

Grant of Permanent Electric Streetlight Easement

Robert A. & Mary Jane Durcholz – Part of Lots 8, 9, 15, 16, 40 & 41 in Windsong Estates Subdivision.

Grant of Permanent Sanitary Sewer Easement

Michael J. & Patricia H. Hochgesang – Part of the NW ¼ of the SW ¼ of S28, T1S, R5W

Grant of Permanent Sanitary Sewer Easement

Andy & Candi Mehringer – Part of Lot 14 in Kellam's 2nd Addition.

A **motion** was made by Victor Knies and seconded by Mayor Schmitt to approve and accept the easements as listed above. Motion passed 3-0.

CLAIMS

Claims against the City from June 9, 2006 through July 6, 2006 were presented and examined by the board. Those claims found to be just, due, and owing were approved upon **motion** by Thomas Schmidt and seconded by Victor Knies. Motion carried 3-0.

ADJOURNMENT

There being no further business to come before the board, a **motion** was made by Victor Knies and seconded by Thomas Schmidt to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:12 a.m.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary